



**City of College Park
Department of Planning and Community Development
Staff Report**

Reviewer: Miriam Bader

Date: November 23, 2022

A. APPEAL INFORMATION

Appeal No.: CPV-2022-05

Hearing Date: December 1, 2022

Petitioners: Quintin and Charlota Jones

Address: 4806 Harvard Road

Subdivision: Lot 8-A, Block 1, Elmore Power's subdivision

Neighborhood Association: Calvert Hills Citizens Association

Zoning: RSF-65

Request:

1. A variance of 1-foot from the minimum 25-foot front yard setback in the RSF-65 zone for attic conversion to second story.
2. A variance of 9-feet from the minimum 25-foot front yard setback in the RSF-65 zone to validate the existing enclosed porch.
3. A variance of 4-feet from the minimum 8-foot side yard setback in the RSF-65 zone for attic conversion to second story.

Purpose of Request: To convert an attic into livable space making it a 2.5-story dwelling.

Requirements:

1. Front Yard Setback. Section 27-4202 (e), Table II of the Prince George's County Zoning Ordinance prescribes a minimum front yard setback of 25-feet in the RSF-65 zone.
2. Side Yard Setback. Section 27-4202 (e), Table II of the Prince George's County Zoning Ordinance prescribes a minimum side yard setback of 8-feet in the RSF-65 zone.

Property Characteristics:

1. The property is rectangular. The lot width is 50-feet, and an average depth is 143.6 feet. The total area of the lot is 7,180 square feet.
2. The property is improved with a 919.89 square foot, 1.5-story brick, and frame house with a basement, a 78.5 square foot roofed porch, a 499.8 square foot accessory building, and 18 square foot shed and an 887 square foot driveway for a total lot coverage of 2,403.19 square feet or 33.4 percent. The current regulations permit up to 35% of lot coverage.

Neighborhood
Characteristics:

1. The property and immediate neighborhood are zoned RSF-65, single-family residential.

Other Information:

1. The house was built in 1940 prior to adoption of zoning in this area in 1949.
2. The site plan shows a 20-foot Building Restriction Line (BRL).
3. The house, excluding the front porch, complies with the Building Restriction Line but does not comply with the current zoning ordinance which requires a minimum front building setback of 25-feet. The house, excluding the front porch, is 24-feet from the front property line. The existing, roofed, front porch, built without a variance at an unknown date, requires a variance of 9-feet. There is aerial photometric evidence that shows the front porch in 1965 but no permits were found. It could have been original to the house.
4. The existing house also does not comply with the current minimum side yard setback of 8-feet since the eastern side yard setback is 4-feet from the side property line.
5. Any new development needs to comply with zoning regulations. The Applicant proposes to convert the attic into a second story space and needs a building permit.

CRITERIA FOR GRANTING A VARIANCE

1. ***Property has exceptional narrowness, shallowness, or shape, exceptional topographic conditions or other extraordinary situations or conditions.***

The property has an extraordinary situation because the property was developed in 1940 prior to zoning regulations and was built before setback standards applied. The existing house, including the roofed front porch, does not comply with current required minimum front and side yard setbacks. The roofed porch has existed for many years and may be original to the house.

2. ***The strict application of the County Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the property owner.***

The strict application of the Zoning Ordinance will result in a practical difficulty for the property owners by preventing them from making reasonable improvements to their property that won't expand noncompliance from what exists today.

3. ***The variance will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan.***

Granting the front and side yard setback variances will not substantially impair the intent or purpose of the applicable County General Plan or County Master Plan because this house has been at its present location for over 82 years.

C. RECOMMENDATION

Staff recommends approval of the following variances to permit the conversion of an attic to a second story space:

1. A variance of 1-foot from the minimum 25-foot front yard setback in the RSF-65 zone for attic conversion to second story.
2. A variance of 9-feet from the minimum 25-foot front yard setback in the RSF-65 zone to validate the existing enclosed porch.
3. A variance of 4-feet from the minimum 8-foot side yard setback in the RSF-65 zone for attic conversion to second story.

D. EXHIBITS

1. Application
2. Site Plan
3. Memo from M-NCPPC staff

4. Location Map
5. Zoning and Building Footprint Map
6. Aerial Photograph
7. Impervious Surface Map
8. Front Building Elevation
9. Staff Photos



City of College Park Advisory Planning Commission
8400 Baltimore Avenue, Suite 375
College Park, MD 20740
Phone: 240-487-3538 • www.collegeparkmd.gov

EXHIBIT 1

APPLICATION FOR VARIANCE FROM
THE STRICT APPLICATION OF THE
PRINCE GEORGE'S COUNTY ZONING ORDINANCE

Instructions: Please complete and mail to the address above or e-mail to Miriam Bader at mbader@collegeparkmd.gov. All required information must be provided before an application is accepted for processing. An appointment with the City Planning Staff must be made to review the application prior to acceptance. Please call (240) 487-3538 to schedule an appointment. The following items must accompany the application: 1) an accurate plat or site plan drawn to scale that, includes all existing structures, driveway and additions; 2) filing fee or financial hardship waiver request.

OWNER INFORMATION

Name of Property Owner (s) Quintin & Charlota Jones

Address of Property 4806 Harvard Road College Park, MD 20740

Do you reside in the property? ☒ Yes ☐ No

If no, provide home address _____

Telephone 202-429-0784 Fax _____ E-mail qtvijones@yahoo.com

Name of Agent/Representative (if any) _____

Address _____ Telephone _____

Have you applied for and been denied a permit? ☐ Yes ☒ No

Have you received a violation notice? ☐ Yes ☒ No If yes, date of notice _____

Has property been the subject of a previous appeal or zoning application? ☐ Yes ☒ No

If yes, provide case number(s) and dates _____

Do you require an interpreter? ☐ Yes ☒ No

DESCRIPTION OF PROPERTY

Subdivision _____ Lot _____ Block _____ Parcel _____

Zoning _____ Total Area (Sq ft) _____

Civic Association Name _____

VARIANCE REQUEST

List each required variance on a separate line and cite the section of the Zoning Ordinance from which the variance is requested.

- 1) A variance of one foot from the front lot line
- 2) A variance of four feet from the side lot line for the second floor addition
- 3) A variance of nine feet from the front lot line to validate the enclosed front porch
- 4) An additional variance to validate the lot coverage will not be required
- 5) _____

PURPOSE OF VARIANCE

Describe what you propose to do and why you need a variance.

The attic is being converted into a 2nd story, making it a 2.5 story dwelling, and will require the approval of a variance

IN ORDER FOR A VARIANCE TO BE GRANTED, ALL OF THE FOLLOWING CRITERIA MUST BE MET. PLEASE INDICATE HOW YOU COMPLY WITH EACH OF THESE.

Criteria #1. Property has exceptional narrowness, shallowness, or shape, exceptional topographic conditions or other extraordinary situations or conditions. *(Describe any special conditions and/or circumstances which are peculiar or unique to the property and, that are not characteristic of other property in the neighborhood).*

Since the property was rezoned in April the property has exceptional narrowness and shallowness


Criteria #2. The strict application of the County Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the property owner. *(The property owner is deprived of property rights commonly enjoyed by neighboring property owners because of the property's unusual features or conditions). Hardship cannot be self-imposed.*

We feel deprived of the property rights that are being enjoyed by several of our neighbors because of the new zoning restrictions

Criteria # 3. The variance will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan. *(Granting of the variance will not be in conflict with the public interest as requested in these plans).*

Granting of the variances will in no way hinder our neighborhood or be in conflict with the public interest

NAMES & MAILING ADDRESSES OF ALL ADJOINING PROPERTY OWNERS
(These include properties located on either side, behind and across the street from your property).

Property Address	Owner's Name	Owner's Address
Property Address	Owner's Name	Owner's Address
Property Address	Owner's Name	Owner's Address
Property Address	Owner's Name	Owner's Address
Property Address	Owner's Name	Owner's Address
Property Address	Owner's Name	Owner's Address
 Signature of Owner (Required)		10/31/2022 Date

Signature of Owner (Required)

Date

Property Owner of 4806 Harvard Road and Adjoining Property Owners

Property Address	Owner Name	Owner Address
4806 Harvard Rd.	Quintin T. Jones, et al	12203 Mt. Pleasant Dr., Laurel Run, MD 20706
4808 Harvard Rd.	David R. Lee	Same
4804 Harvard Rd.	Douglas S. Meade, et al	Same
4807 Harvard Rd.	SLG Apts. 2, LLC	251 Little Falls Dr., Wilmington, DE 19808
4805 Harvard Rd.	Martin J. and Karen Klapac	Same
4809 Harvard Rd.	MDI Capital, LLC	9708 Carmel Ct., Bethesda, MD 20817
4805 Calvert Rd.	Richard T. and Cynthia G. Lepson	7104 Rhode Island Ave., College Park, MD 20740
4809 Calvert Rd.	Eric M. Broermann	1503 Hamilton St., NW, Washington, D.C. 20011



Parallel Review - Department Review Status Report

Project Name: 33605-2022-0

Workflow Started: 08/30/2022 3:17 PM

Report Generated: 10/17/2022 03:52 PM

Grouping	Cycle	Department	Reviewer	Email	Status	Reviewer Comments
Building Sub-Workflow	1	Structural Supervisor	Rolando Roy	rdroy@co.pg.md.us	Tasked to Reviewer	
		Site-Road	Mohamed Bah	mwbah@co.pg.md.us	Approved	
		Structural	Charles Cooper	chcooper@co.pg.md.us		
Health Sub-Workflow	1	Health	Myra Leonard	MDLeonard@co.pg.md.us	No Review Required	No Health-permitted activities occurring with this permit



Parallel Review - Department Review Status Report

Planning Sub-Workflow	1	Planning Permit Reviewer	Jamie Stepowany	james.stepowany@ppd.mnccppc.org	Hold	<p>According to the State Assessment and Taxation records, the house was built in 1940, prior to the adoption of zoning in this area: November 29, 1949. The original zoning of the lot was R-55 and after November 29, 1949, the house needed to be twenty-five (25) feet from the front lot line and seven (7) feet from both side lot lines since the lot is fifty (50) feet wide. On April 1, 2022, the lot was rezoned to RSF-65 and now has a side yard setback of eight (8) feet. The house is only twenty-four (24) feet from the front lot line (not including the front porch) and four (4) feet from the eastern side lot line. Any new development may be requested to comply with the prior zoning regulation or the current zoning regulations or obtain a variance from the City of College Park. The attic is being converted into a 2nd story, making it a 2.5 story dwelling, and will require the approval of a variance from the City of College Park. Please contact Ms. Miriam Bader for information about requesting variances with the City of College Park at mbader@collegeparkmd.gov Since there is not a roof over the proposed deck and no changes to the footprints of the house, lot coverage is not a factor. Lot coverage is the percentage of the lot covered by buildings with a roof and the driveway. The lot coverage has been calculated as following: Lot size = 7,180 square feet House = 919.89 square feet Porch = 78.5 square feet Accessory Building = 499.8 square feet Shed = 18 square feet Driveway = 887 square feet Total lot coverage = 2,403.19 square feet or 33.4 percent The current regulations permit up to thirty-five (35) percent lot coverage. It is recommended that the</p>
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Parallel Review - Department Review Status Report

						front yard and side yard setbacks variances are requested per the currer zoning ordinance. A variance of one (1) foot from the front lot line and four (4) feet from the side lot line for the 2nd floor addition and a variance of nine (9) feet from the front lot line to validate th enclosed front porch. An additional variance to validate the lot coverage will not be required. Please upload the approved variances from the City of College Park.
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Exhibit 3. Memo from M-NCPPC Staff

From: Stepowany, James <James.Stepowany@ppd.mncppc.org>
Sent: Monday, September 12, 2022 10:41 AM
To: Build Design Construction Inc <bulddesigninc@gmail.com>
Cc: Miriam Bader <mbader@collegeparkmd.gov>
Subject: 33605-2022-RU 4806 Harvard Road Deck & 2nd Story Addition

Aday,

Permit 33605-2022-RU for a 2nd story addition and deck at 4806 Harvard Road, College Park, MD., has been placed on hold.

According to the State Assessment and Taxation records, the house was built in 1940, prior to the adoption of zoning in this area: November 29, 1949. The original zoning of the lot was R-55 and after November 29, 1949, the house needed to be twenty-five (25) feet from the front lot line and seven (7) feet from both side lot lines since the lot is fifty (50) feet wide. On April 1, 2022, the lot was rezoned to RSF-65 and now has a side yard setback of eight (8) feet. The house is only twenty-four (24) feet from the front lot line (not including the front porch) and four (4) feet from the eastern side lot line. Any new development may be requested to comply with the prior zoning regulation or the current zoning regulations or obtain a variance from the City of College Park. The attic is being converted into a 2nd story, making it a 2.5 story dwelling, and will require the approval of a variance from the City of College Park. Please contact Ms. Miriam Bader for information about requesting variances with the City of College Park at mbader@collegeparkmd.gov

Since there is not a roof over the proposed deck and no changes to the footprints of the house, lot coverage is not a factor. Lot coverage is the percentage of the lot covered by buildings with a roof and the driveway. The lot coverage has been calculated as following:

Lot size = 7,180 square feet

House = 919.89 square feet

Porch = 78.5 square feet

Accessory Building = 499.8 square feet

Shed = 18 square feet

Driveway = 887 square feet

Total lot coverage = 2,403.19 square feet or 33.4 percent

The current regulations permit up to thirty-five (35) percent lot coverage.

It is recommended that the front yard and side yard setbacks variances are requested per the current zoning ordinance. A variance of one (1) foot from the front lot line and four (4) feet from the side lot line for the 2nd floor addition and a variance of nine (9) feet from the front lot line to validate the enclosed front porch. An additional variance to validate the lot coverage will not be required.

Please upload the approved variances from the City of College Park.

If you have any questions, please don't hesitate to contact me,

Jamie Stepowany

Planning Technician III | Development Review Division



14741 Governor Oden Bowie Drive

Upper Marlboro, MD 20772

(Largo office) 301-636-2015

(Online TEAMS) 240-573-2291

james.stepowany@ppd.mncppc.org

www.mncppc.org



Exhibit 4. Location Map

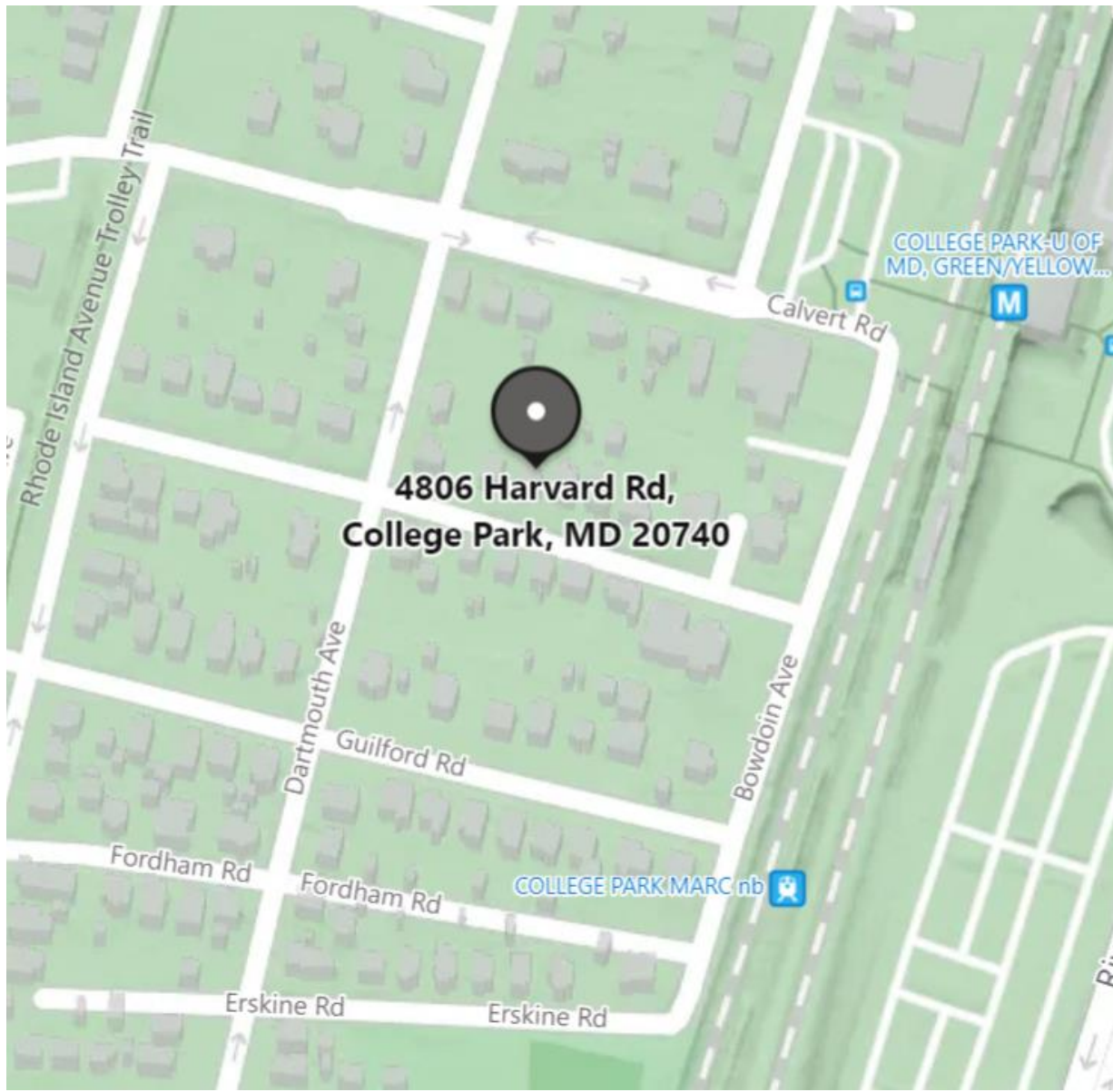


EXHIBIT 5. Zoning and Building Footprint Map

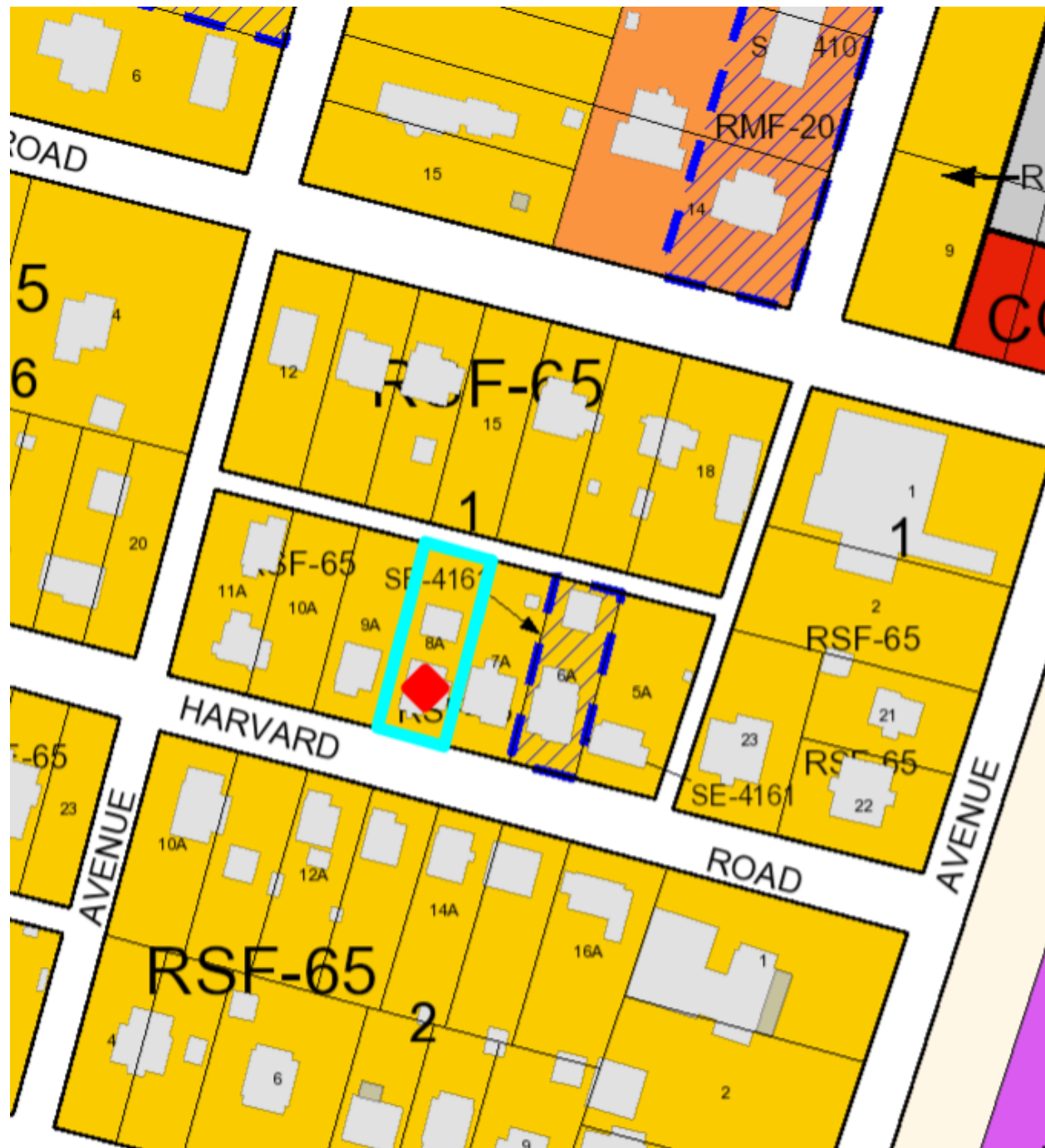


EXHIBIT 6. Aerial Photographs

2021:



1965:

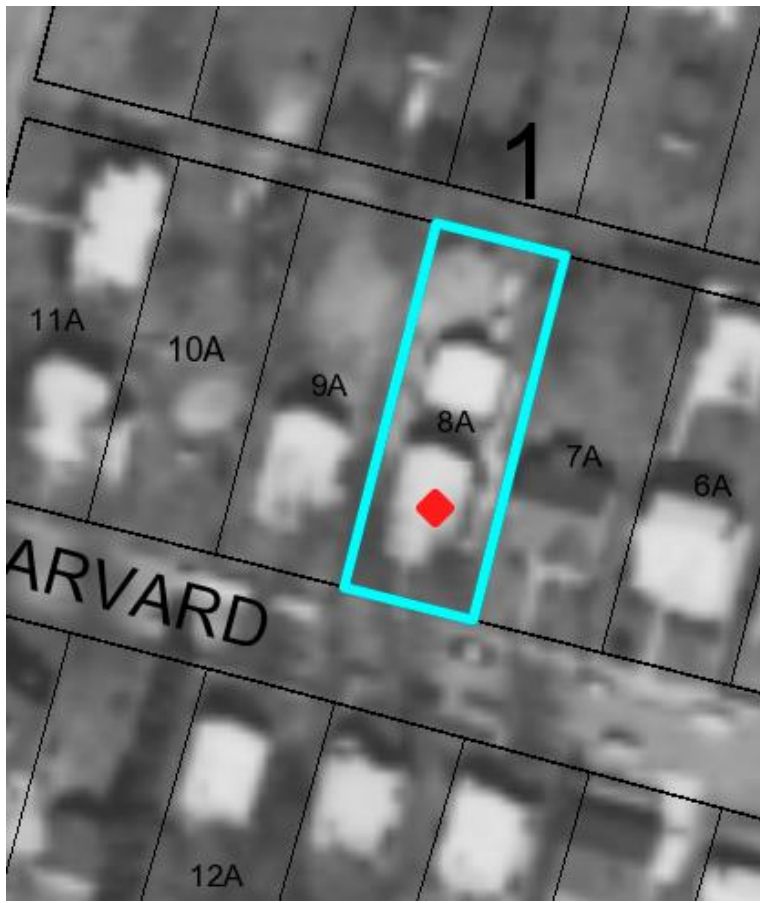
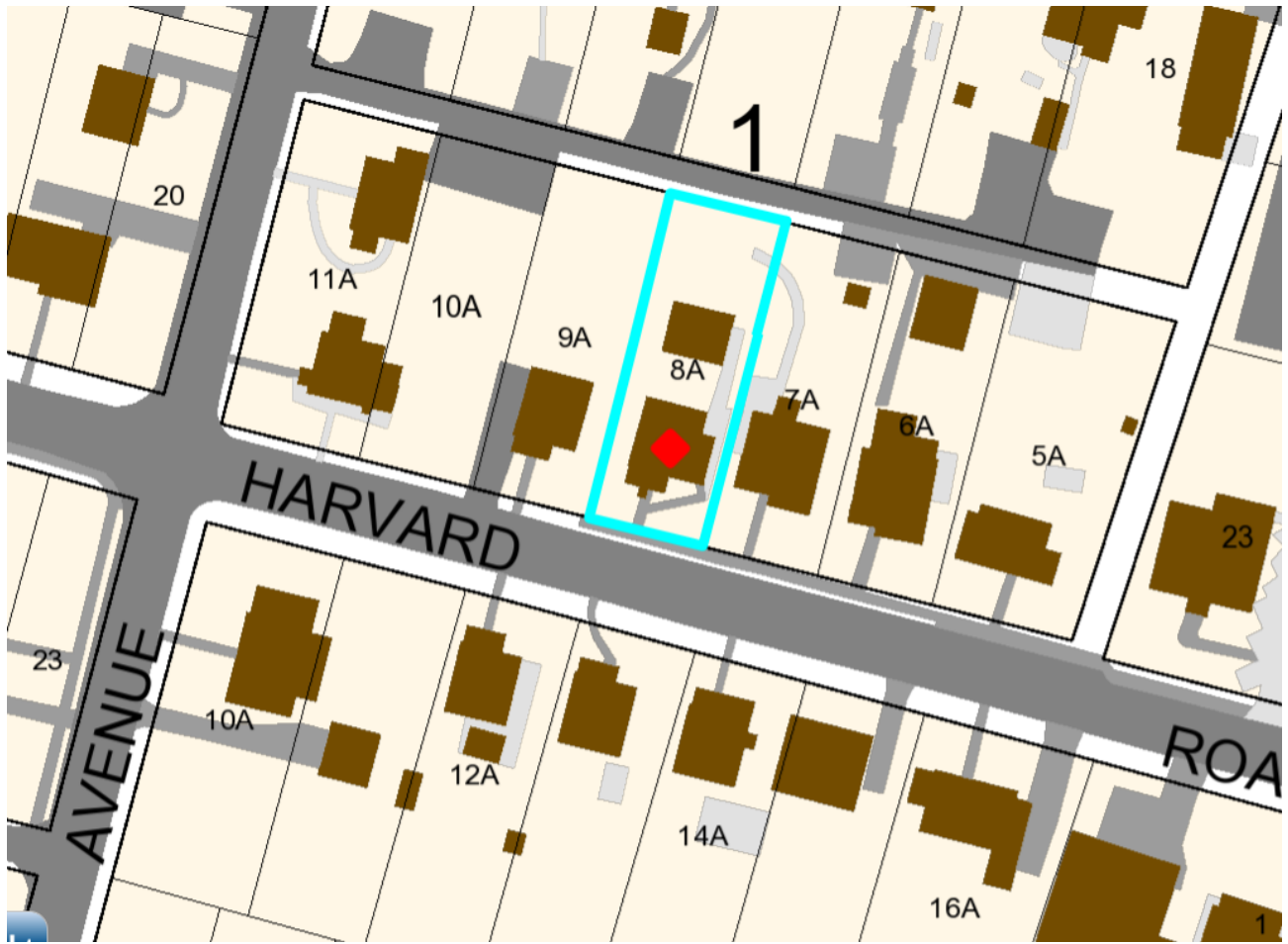


Exhibit 7. Impervious Surface Map



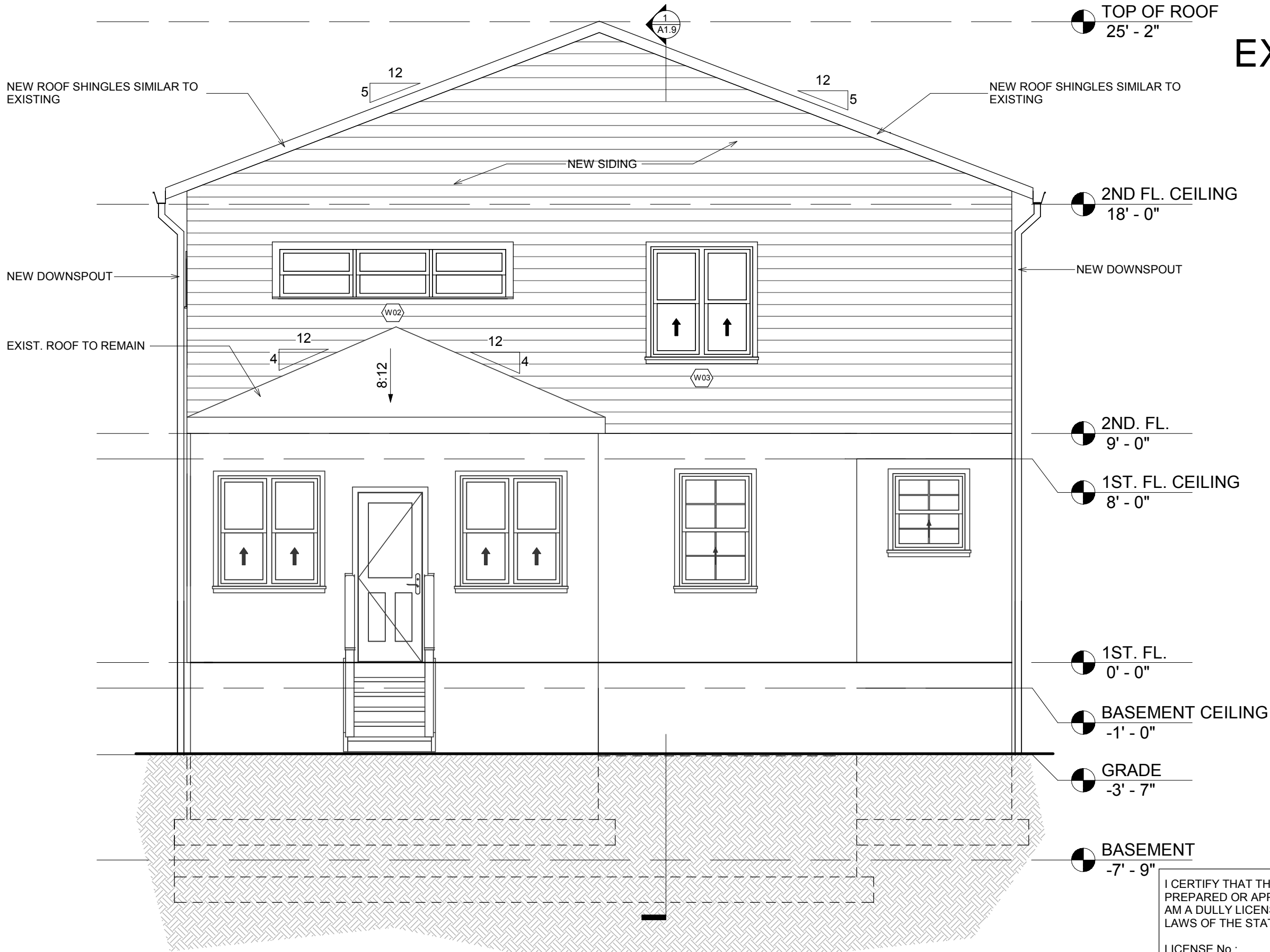


EXHIBIT 8

BUILD & DESIGN
CONSTRUCTION INC.
5824 HUBBARD DRIVE
ROCKVILLE MD, 20852
OFFICE: 240-869-4897
CELL: 301-821-0956
bulldesigninc@gmail.com



JONES RESIDENCE
4806 HARVARD RD, COLLEGE PARK MD 20740.
OWNER: QUINTIN T. JONES

REMARK	DATE
ISSUED:	25/8/2022 15:44:01
SCALE: AS NOTED	
DRAWN BY: L.N	CHECKED BY: ED
PROJECT NO. 22-655 ED	
PROPOSED FRONT ELEVATION	
SHEET: A1.4	

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULLY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE No.:
EXPIRATION DATE:

EXHIBIT 9. Staff Photos



A: Subject Property, 4806 Harvard Road



B: Right Side of Property



C: Left Side of Property



D. Looking down the street, similar front setbacks